

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR18-315-RAJ
Plaintiff,)	
v.)	STIPULATION OF THE PARTIES
GIZACHEW WONDIE,)	FOR PURPOSES OF EVIDENTIARY
Defendant.)	HEARING ON WARRANTLESS
)	ARREST MOTION

Defendant Gizachew Wondie, by and through Assistant Federal Public Defenders Sara Brin and Mohammad Ali Hamoudi, and the United States of America, by and through Assistant United States Attorneys Erin H. Becker and James Oesterle, stipulate to the following:

1. Neither party will call George Alvarez to testify at the evidentiary hearing ordered by the Court with respect to the defendant's motion to suppress his arrest, the defendant's motion to suppress his statements, or the *Franks* hearing. Because Alvarez will not be testifying, this Court should not rely on his statement, submitted by the government at Dkt. 73, Ex. J, and by the defense at Dkt. 190, Ex. 5, pp. 4-5.¹

2. The King County Mobile Arrest Team contacted the defendant, Gizachew Wondie, on December 6, 2018. This contact would not have occurred at the time, at the

¹ By so stipulating, the government does not stipulate that the statement was in any way false or misleading, only that it cannot prove the substance of the statement without calling Alvarez as a witness. However, because the Court has ordered an evidentiary hearing on the topic and this witness will not be called to testify, the Court should not rely on the statement.

1 place, and in the manner it did but for the King County Sheriff's Office's homicide
2 investigation led by (now retired) Detective Kathleen Decker. The Mobile Arrest
3 Teams contacted Wondie because they had been asked to assist with securing his
4 vehicle and apartment to facilitate execution of the Decker search warrants.

5 3. Members of the Mobile Arrest Team arrested Wondie either upon contact
6 or very shortly thereafter on the morning of December 6, 2018.

7 4. Immediately after the arrest, Wondie was searched incident to arrest.
8 Searching officers located illegal drugs on Wondie's person.

9 5. A short time after the arrest, officers searched Wondie's car pursuant to
10 the Decker search warrant. The officers did not locate any of the items listed in the
11 warrant. The officers did locate, but did not seize, illegal drugs.

12 DATED this 2nd day of June 2021.

13 Respectfully submitted,

14 *s/ Sara Brin*

15 *s/ Mohammad Hamoudi*

16 Assistant Federal Public Defenders

Attorneys for Gizachew Wondie

17 *s/ Erin H. Becker*

18 *s/ James Oesterle*

19 Assistant United States Attorneys

By email authorization